NERAL AND REVENUE SECRETARIAT.

1894-95
~~191~~.
( Miscellaneous )

# File No. 10

# Serial Nos.

# Papers Filed.

*Month*_____

SUBJECT.

Passing orders in the matter of Compensation claimed by Sowdagar Kasim Beg in respect of a certain land belonging to the Sri Ramad Temple in Closepet and purchased by him in Publication

PREVIOUS REFERENCES. LATER REFERENCES.

MYSORE DEWAN'S OFFICE.

MUZRAI BRANCH.

OFFICE NOTE

Mysore 10 B 1894-5

SUBJECT

Compensation claimed one Sowdager Kasim Beg in respect of certain Kandaye land belonging to the Sri Ram Devaru temple at Closepe

LAST REFERENCE.

Petition from Kasim Beg No 1376 dt 25-2-

Letter No 142 and dated 10th August 1894

from the Deputy Commissioner, Bangal District

The facts of the case are as follow:—

In the year 1867 one Lakshmakka made over certain Kandayem land o her own to the temple o Sri Rama Devaru at Closep as an endowment for performance of certain service in the institution.

2. The Patta of the land was made out in the name of the temple in 1885-86. For some 2 or 3 years afterwards, the land remained un-cultivated and the Kandayam had to be paid from out of the temple funds. The land thus becoming a burden on the resources of the temple, the Dharmakartas of the institution found that its retention by the temple was of no advantage and consequently resolved that it would be better to sell it by auction and conduct the services stipulated by the donor from the interest accruing on the investment of the sale proceeds. The

Annada-

GOVERNMENT OF MYSORE

Amildar also approve
of this measure, and th
land was accordingly put
to auction on the 10th Augus
1888, and sold in 2 plot
one to a person name
Siva Sing for Rs 45-2-0 a
the other to the petitione
Kasim Beg for Rs 116-0-0

The Sub-Division Office
Mr Namkal Rao to whom
the matter was reporte
No 384 dated 15-9-1888. also confirmed the sal
with the following remarks:

"The land belongs to th
temple of Rama Devaru
It is lying waste and th
Kandayam was being pai
from temple funds. The
Dharmakartas think

necessary to sell the land for the benefit of the temple and take the sale proceeds to the credit of the temple funds. The land has fetched proper amount in the sale. It was therefore confirmed."

Some months after the sale on the 12th December 1884, one Sanjeeviah, a nephew of the donor Lakshmakka petitioned the Deputy Commissioner protesting against the disposal of the land as a land; and the Deputy Commissioner (then Mr. P.V. [illegible]) thereupon [illegible] observing [illegible] the temple [illegible] sanction

* Page 5 dated 16. 12. 1884.

from the higher authorities was grossly irregular and quite unauthorised and that the lands should be resumed from the purchasers the purchase money being refunded to them and further directed the Amildar to report the result of the action taken in the matter.

4. On receipt of the above order the Amildar called upon both Siva Sing and the petitioner Kasim Beg by means of notice to give up the plots respectively purchased by them and take back the purchase money. Siva Sing readily obeyed. But Kasim Beg objected on the ground that he had expended a

On 29th January 1890.

arge sum of money
improving the plot
urchased by him and
at he could not therefore
ive it up unless paid
lso proper compensation
or such improvement in
ddition to the refund
the purchase money. A
etition to this effect was
ubmitted by him to the
eputy Commissioner (Mr.
P. Madhava Rao who had
the meanwhile succeeded
s Krishna Murti); and
hat Officer referred the
uestion to the Sub-division
fficer of Cloxepet for
isposal with the remark
hat a fair compensation
may be paid to the petitioner
in consideration of any
improvement

improvement of the
that might have been
effected by him.

5. The Sub-Division Office accordingly inspected the land and after examining the petitioner fixed the amount of Compensation claimed at Rs 105-11-0 and directed the Amildar to pay this amount to Kasim Beg from the temple funds in addition to refunding the purchase money of Rs 46- and obtain a receipt from him as to the adjustment of the sum. In reply the Amildar reported that there was no saving at the credit of the temple wherefrom the compensa-

uld be paid. On this
Sub-Division Officer
rote to the Deputy Commis-
ioner recommending the
yment of the Compensation
mount to the petitioner
om Murrai Surplus Funds.
e Deputy Commissioner
ferred the question for
orders of Government
ecommending the payment * No 892 dated 16-3-18
the Compensation from
nt of the Murrai Surplus
nds of the Taluk as the
stitution itself had no
avings of its own. But
Government declined to * No 12090/B213 dated 27.1.'92.
ction the proposal with
remark that the
anager maybe advised
pay the Compensation

if he is desirous of securing the land for the temple.

6. The Dharmakarta of the temple to whom the order was communicated through the Amildar represented that the Institution had no funds from which the compensation adjudged to the petitioner Kasim Beg might be paid, and that it would be more advantageous to the temple to confirm the sale to Kasim Beg. On this the Sub Division Offr (mr G. Raghoonatha Rao) issued an order to the Amildar observing that there was no proof of the petitioner having spent any large sum on the improvement of the land as alleged by

and directing the Amildar to call upon Kasim Beg to receive back the purchase money within a specified time informing him that in default the amount will be credited to the temple funds. Accordingly on the 10th February 1893 a notice was issued to Kasim Beg requiring him to receive back the purchase money before the 25th idem; but immediately on receipt of the notice on the 20th February 1893, Kasim Beg presented a petition to the Deputy Commissioner stating that in spite of the order of Government No. 12090/P213 dated 27th January 1892 referred to above the managers of the temple had

had taken possession of the land under order of the Taluk authorities without paying him the compensation adjudged and that he had been served with a notice requiring him to receive back only the purchase money and praying therefore that the managers may be ordered to pay him the Compensation amount of Rs 106-11-0; and on the 25th February he petitioned the Amildar praying that further action in the matter might be held in ~~ad~~ abeyance pending disposal of his petition to the Deputy Commissioner on the subject.

Before however,
his petition to the Deputy
Commissioner was disposed
of, Kasim Beg submitted
a petition to the Government
to the same effect. This
petition was referred to *
the Deputy Commissioner
for report if the managers
were willing to take back
the land after paying
the compensation adjudged
to the petitioner. In reply
the Deputy Commissioner
reported * that the Managers
declined to pay the compensation
and take back the land
and deemed it advantageous
to the temple if the original
Sale might be confirmed

Considering

* No 2698 dated 17-4-'93

* No 109 dated 27-7-'93.

considering the inconvenience attendant upon keeping land waste and paying Banjar Kandayem. Thereupon the Deputy Commissioner was informed that Kasim Beg can retain possession of the land in question until he is paid back the purchase money together with the amount of compensation awarded to him by the Sub Division Officer.

No 97 dated 31. 7. 94.
Chuz 7.10.94

8. The petitioner Kasim Beg now represents that the land was taken away from his possession in January 1890 without any heed being paid to his representations about the payment of compensation and having lain waste since then, the land has now become unfit for

Petition no 1376 dated 25. 2. 96.

cultivation and prays therefore for the payment of compensation amount above referred to together with the purchase money. With reference to this petn the Deputy Commissioner Mr N. Narasimha Iyengar on reports as follows:—

* No 142 dated 10. 8-19

"Kasim Beg having been deprived of the land, now refuses to take it back and demands the payment of the purchase money plus the cost of improvements as certified by the Panchayets at the time."

"If it may be permitted to me to express an opinion at this stage of the case, I think it was a pity that the sale was not confirmed. The Dharmadarsees do not want the land for the temple and the individual

at whose instance the sale was upset, has renounced all claim to the same.

"I have now the honor to request instructions as to the adjustment of the claim of Kasim Beg whose petition is included in the file."

Note.

The chief point to be ascertained in this case is, when and under what circumstances, the petitioner Kasim Beg lost possession of the land without being paid the compensation adjudged to him by the Sub Division Officer of Closepet. The petitioner states that

soon after the issue
of the Amildars' notice
dated 29th January 1890,
he was summarily ejected
from the land without
any heed being paid to
his claims for compensation.
Post the records submitted
by the Deputy Commissioner
do not bear out this
allegation. On the other
hand when in the notice
dated 29th January 1890,
the Amildar Communicated
to the petitioner the Deputy
Commissioners' order can-
celling the sale of the land
and called upon him to

Pause.

gave up possession
of the land, Kasim Beg
in reply submitted a
petition pleading inabili
to surrender the land
until he was paid prop
compensation for the
improvements effected b
him on the land.

// And beyond Kasi
Beg's bare assertion
his recent petitions
the Deputy Commissione
and to the Governmen
there is nothing in
records to shew that
was forced to give up
possession of the lan
by any coercive proce
On the other hand

allegation of Kasim Beg that he gave up the land so long ago as January 1890 is shewn to be untrue by the Amildar's report No. 547 dated 23rd. February 1891 in which it is distinctly stated that Kasim Beg had not given up the land sold to him and further in a report of the temple manager's made on the 20th. October 1894, Kasim Beg's statement that he gave up the land to their possession is flatly contradicted.

In these circumstances Kasim Beg's statement

that he was forcibly deprived possession of the land appears to be unfounded. It seems more likely that Kasim Beg himself quietly abandoned the land of his own accord preferring the receipt of the compensation adjudged by the Sub-Division Officer as the more profitable bargain, but subsequently finding his expectations in this respect frustrated, set up a plea of having been forcibly ejected from the land just to give color and weight to

claims for payment
compensation.

—

× The foregoing Precis prepared in this Office from the Vernacular records was forwarded to the Deputy Commissioner and information on the following queries was called for. The Queries and the Dy Commissioners replies are noted below: —

on a further reference [illegible] in regard to [illegible] the land in dispute in Civil Suit No 468 of 99 Col. 97 re: the Khas in Bay [illegible] from the land [illegible] that the land is [illegible] but [illegible] the land [illegible] is necessary [illegible] because [illegible]

Queries —

Dy Commrs replies —

I. In whose possession is the land at present?

The land is lying waste.

a further reply from this Office
the Dy. C. in his letter No 20 of
Khasim Beg.
was not forcibly ejected from the
land as alleged by him, that the
land is lying waste but that,
however, the Kanungo thereon is
being levied from the Temple Manager
in the form that the Patta
of the land still continues to remain
in the name of the Temple & the
Kanungo is responsible for the payment
of land Revenue

By whom the Kanoayam on the land being paid? If paid from temple funds why?

The Kanoayam is now being paid from the temple funds for, the Patta of the land having been registered in the name of the temple so far back as 1885-6, the Revenue authorities have been levying the Kanoayam in this case from the temple funds on the ground that the Pattadar is responsible for the payment of the land Revenue.

III Is the allegation of Khasim Beg that he was forcibly ejected from the land true? If so why was he so ejected without being paid the compensation claimed?

Khasim Beg was not forcibly ejected as alleged by him

(General Serial No. 30).

OFFICE OF THE DEWAN OF MYSORE
3511
16 JUL. 91
P.49 In 158

189

From The Deputy Commissioner Bangalore District

To The Chief Secretary to the Dewan of Mysore

Dated 15-6-91
Despatched 15-6-91
Received July/91

Enclosures No. one file & D.C.

General No. 573

No. 226. Relative to the Q.No. 12090 with P.213

In reply to your Lr. No. 1432 dated 30th March 1891 has the honor to state (1) that the temple is one of the Muzrai institutions under Government management (2) that it enjoys a Lucdik allowance of Rs 29-1-- per annum, and (3) that it has also an Inam land measuring K-K-P 4-13-9¼ which the temple servants enjoy for rendering services for the institution, the land however lying waste and the Amildar

reports that the exact means cannot

The Treasury Officer's credit certificate - ' ... General
surplus funds available at the credit of the ... is
appended to the Taluk list marked A.

The file of vernacular correspondence is herewith
submitted.

Offg. Dy Commissioner

11/1-13-25th

(General Serial No. 30).

189

From

To The Dy Commr
Bangalore Dist

Dated

Despatched November

Received

Enclosures No.

General No.
No.

Revenue Dept
Bangalore Dy Comrs
His No. 226 dated
15th June 191 submitting
forwarded
proceedings
ing the papers connected
. Recommendation made
with the payment of
out of Inam funds
Rs. 105-11-0 belonging the
plus Inam
amount of Compensa-
tion payable to the
purchaser of a certain
land belonging to the
Ramadevaru temple
at Closepet.

---

Referring to the above
enclosures as follows

(1)

5. Under there circumstances
I cannot decline to accord
sanction to the pay-
ment of the Compensa-
tion of Rs. 105-11-0
out of the Muzrai
Surplus Fund of the
Taluk. The Inamdar had
called upon Mr. The Comr.
for is demanding a copy of the
5th The enclosures of the letter
are herewith returned.

By order

Under Secy.

~~(1)~~ the Land is
~~that~~ ~~to~~ is not an Inam
land granted by
Govt, but is
~~(2) It is~~ a Kandayam
or land given by a
private individual
Ramadevan
to the temple. ~~and is~~
~~now waste~~ There is
no surplus after credit of
~~(3) The temple has~~
the said temple and
~~no funds at its~~
~~credit.~~

~~(4) The present amount~~
~~of~~ Compensation
could
proposed to be paid
~~out~~ out of the Muzhai
which
Surplus Fund of
~~Rs. 193-13-3 could~~
~~this amount is an~~
~~which depends both the~~
~~accumulated balance~~
of many other temples
in the Taluk.

~~(5)~~ Under the Muzhai
~~management~~ Rules
of 1877, the funds of
one institution cannot
be appropriated for

ceedings of the Government of Mysore

ead-

Bangalore Deputy Commissioner's R
6 dated 15th June 1891, submitting the Pro
dings connected with the recommendation
de for payment of Rs 105-11-4 out of Muzra
plus Funds, as Compensation to the pur
aser of a certain land belonging to the
amadévaru temple at Closepet.

Re
Order thereon.- R. 12090 / P 213 dated 27-1-92

The Government observe that the lan
ferred to is not an Inam land granted
vernment, but is a Kandayam paying lan
ven by a private individual to the Ramad
temple. There is no surplus to the credi
the said temple and compensation propo
nnot be paid out of the Muzrai Surplu
und belonging to the other temples in t
aluk.

Moreover, under the Muzrai Rules of 187
e funds of one institution cannot be app
riated for the benefit of another.

Under these circumstances, Governmen
ecline to accord sanction to the paymen
the Compensation of Rs 105-11-4 out of t
uzrai Surplus Fund of the Taluk. The

manag

Manager should be called upon to pay the compensation if he is desirous of securing the land for the temple

The enclosures are herewith returned

Under Secretary.

The Deputy Commissioner,
Bangalore District with ref: to his No: 823 dt. 6th Jan: 92.

Re-Draft

( Serial No. 31)

From 1891.

To The Dy Commr
Bangalore Dist

Dated 27th

Despatched 30 March 91

Received

Enclosures No. VP

General No. 14443
No 573

His No. 892 of the 16th Instan
soliciting sanction to th
payment of Rs. 105-11-
being the amount of com
pensation payable to th
purchaser of a certain
land belonging to the
Ramadévaru temple
at Closepet.

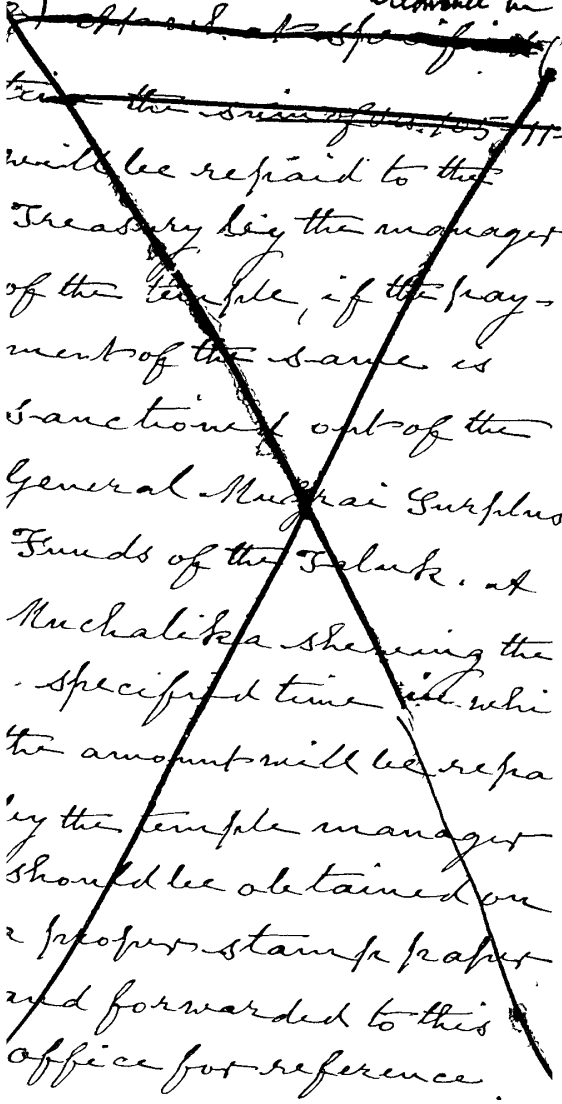
From Revenue Board No. 926 dated 26th March 1891.

With reference to the
above has the honor to
request to be furnished
with information on
the following points:-
(1) Whether the temple
is one of the Muzrai
institutions under Go

ove management (2) [illegible]

Allowance in Cash

(3) Mother of Engagement Amount Cash &c. What is to amount be and derived



will be repaid to the Treasury by the manager of the Temple, if the payment of the same is sanctioned out of the General Mudrai Surplus Funds of the Taluk. at Muchalika shewing the specified time in which the amount will be repaid by the temple manager should be obtained on a proper stamp paper and forwarded to this office for reference.

2. The Dy Commr is also requested to forward to this office Treasury officer's certificate shewing the actual amount of the General Mudrai Surplus Funds now available at the credit of the Taluk.

3. The file of Vakil papers is returned for reference & resubmission by order

[illegible] 25/3/81

(General Serial No. 31).

OFFICE OF THE
11701
15 MAR. 91
782

189

*From*

*To* The Chief Secretary to the Dewan of Mysore.

*Dated*

*Despatched*

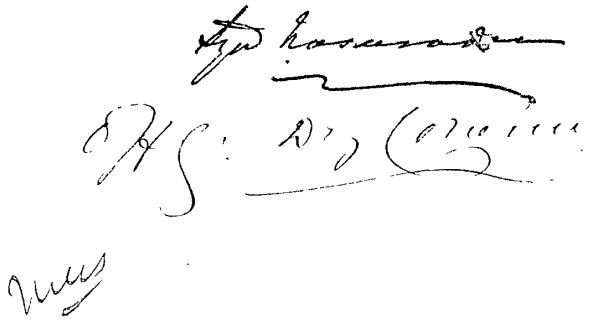
*Received*

**Enclosures No.**

*General No.*

*No.*

In submitting
herewith Application
with the fee of Ver-
nacular papers
regarding the sale of
Land attached to the
Ramandevara Temple
in the Channapatna Taluk
I have the honor to request
early Sanction to the
payment of Rs 105 to
to the purchaser, on
of the General Manager
Enterprise Fund of the
Talu



# Memo

One Lakshmamma wife of Chennappa of Iyyoor Village in the Coorg Taluk, made over, as charity, her own lands to the Ramnadevar temple of Coorg - One Nanjundia on behalf of the temple used to get the lands cultivated for the benefit of the institution and to pay the Kandayam to Government due thereon - He accordingly paid the Cundayam for 2 years, i.e. Parthiva and Vyaya (1885-86 and 1886-87). But he subsequently failed to pay up the arrears due for 1887-88 and 1888-89; and so the temple Manager was demanded for payment of the arrears which amount, as settled by the Potedar of the temple, was however recovered from the Shrotriem Land of the temple - In Sarvadhari (1888-89) the land being waste, the Kandayam could not be realized - The then Sub Divisional Officer,

Vaccakal Kow, on a reference
ing made on the subject
the Arnidar, directed the lands
to be used in satisfaction of
government dues. The land was
ed accordingly and made over
o the purchasers who had the
ame in their possession and one
f them spent some money in
proving the same. The late
deputy Commissioner, Mr Krishna
Kanthi, on the complaint of one
Sangeeviah, ordered the sale of the
ands to be cancelled inasmuch
s the disposal of temple lands
y sale, without previous sanction
f Government, was irregular.
Strictly speaking, there was not
Devadaya grant, but it was a
private land given over to the
temple, as a matter of charity
by a deceased person and as such,
the sanction of Government was
ot necessary. However, one of
the two purchasers of the land
received back his purchase money
and gave up the land, as he had
not improved the same, while
the other objected to part with it
and to receive back his purchase
money viz Rs 116, on the ground
that he suffered a great loss by
spending a large sum for the
improvement of the land, i.e.
for planting mango trees &c.
Subsequently a

complaint was made on the subject to Rao Madhava Rao who declined to interfere with the order of his predecessor and de sired the Sub Division Officer to inspect the land and pay up the Compensation -

3 - The present Sub Division Officer inspected the spot accordingly and ascertained the actual amount spent by him, detailing Rs 60 - 12 - and recommending the payment to him of Rs 105 - 11 - as compensation from the surplus Fund of the temple - There is however no such fund available at the credit of the temple in question I would therefore request sanction, as a special case to disburse the said sum of Rs. 105 11 0 out of the General Muzrai Surplus fund of the Taluk -

4 - The file of Revenue papers is enclosed for reference and obliging return when no longer required -

Yours obediently

Asst Dy Commissioner

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

Camp Registered

The accompanying Petition No. 767/2262

dated 19—11—91 received at the

Dewan's Office from Kasim Beg of

Closepet Taluk, Bangalore

District

is forwarded, together with its

enclosures, to the Deputy Commissioner

Bangalore Dist., for a report of

the same No. 823 dated 16/11/92

number and date of this letter of reference, on the subject referred to

Government

By Order,

Chief Secretary.

BANGALORE,

17th Dec., 1891.

29

(General Serial No. 30). 9532

1891 - 9266

Inwards

Refund of purchase money declined -

Draft prepared in November

Orders to be submitted to Council.

Submitted to Council.

22/1/92.

Result as communicated.

25/1/92

From The Dy Commissioner Bangalore District

To The Chief Secretary to the Dewan of Mysore

Dated 6th January 189

Despatched

Received

Enclosures No. 1

General No.

D No. 823

To the same No. 12090 of 27/11/92

States that the whole Pro: connected with the Compensation to be paid to the petitioner Hasan Beg of Closepet Talut for the lands of Ramedevanahalli was sent with this office No. 226 of 15th July 1891 giving further information &c.

Pet Dept
Jan 7/1/92

By Commissioner's Office

No 823. CONFIDENTIAL

Enclo 1

Bangalore District

Dated 6th January 1892

To

The Chief Secretary to the Dewan

of Mysore.

Sir,

In returning the enclosure received with your Official Memo No 192 dated 14th Ultimo, I have the honor to state that the whole Proceedings connected with the Compensation to be paid to the petitioner for the lands of Ranè - devar, purchased by him was forwarded with this Office letter No 226 dated 15th July 1891, giving further information required on the Subject.

I have the honor to be

Sir,

Your Most Obedient Servant.

C Johnston

Asst to Deputy Commissioner

06

:SORE DEWANS OFFICE.

PETITION DEPARTMENT BRANCH

FICIAL MEMORANDUM.

OFFICE OF THE DEWAN OF MYSORE
MUZRAI

accompanying Petition No. 2698

April /93 received in the

Office from Kasim Beg, merch
pet, Bangalore District,
plaining that adequate co
sation for the land belonging
Ramdevaru temple at
pet, which had been sold
tioner and the sale of which
can subsequently cancelled
not paid to him
~~ted, together with its~~ transferred
, to the Muzrai Secretary

By Order

for Chief Secretary

BANGALORE, 6
May 1893.

Copied
SN

M. G. O. P. Bangalore—1, 11 94—3,000.

To P Bangalore 8599 27/6/93

PETTY ON LEPAR
REC'D IN.. 26986
DATE 19-4-93

ਪੰਜਾਬੀ ਸਾਹਿਤ ਅਕਾਦਮੀ, ਲੁਧਿਆਣਾ

ਸਕੱਤਰ ਦੀ ਚੋਣ ਲਈ ਇਸ਼ਤਿਹਾਰ

ਪੰਜਾਬੀ ਸਾਹਿਤ ਅਕਾਦਮੀ, ਲੁਧਿਆਣਾ ਦੀ ਕਾਰਜਕਾਰਨੀ ਕਮੇਟੀ ਦੀ ਮੀਟਿੰਗ ਮਿਤੀ ੧੨ ਮਾਰਚ ੧੯੭੮ ਨੂੰ ਹੋਈ ਜਿਸ ਵਿਚ ਸਕੱਤਰ ਦੀ ਅਸਾਮੀ ਦੀ ਚੋਣ ਲਈ ਇਹ ਫ਼ੈਸਲਾ ਕੀਤਾ ਗਿਆ ਕਿ ਇਸ ਅਸਾਮੀ ਲਈ ਯੋਗ ਉਮੀਦਵਾਰਾਂ ਤੋਂ ਅਰਜ਼ੀਆਂ ਮੰਗੀਆਂ ਜਾਣ। ਇਸ ਅਸਾਮੀ ਲਈ ਉਮੀਦਵਾਰ ਦੀ ਉਮਰ ੩੫ ਤੋਂ ੫੫ ਸਾਲ ਦੇ ਵਿਚਕਾਰ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ ਅਤੇ ਉਹ ਘੱਟੋ-ਘੱਟ ਗ੍ਰੈਜੂਏਟ ਹੋਣਾ ਚਾਹੀਦਾ ਹੈ। ਉਸ ਨੂੰ ਪੰਜਾਬੀ ਸਾਹਿਤ ਦੇ ਪ੍ਰਸ਼ਾਸਨ ਅਤੇ ਸੰਗਠਨ ਦਾ ਤਜਰਬਾ ਹੋਣਾ ਚਾਹੀਦਾ ਹੈ। ਤਨਖ਼ਾਹ ਸਕੇਲ ੫੫੦-੨੦-੭੫੦-੨੫-੯੦੦ ਰੁਪਏ ਮਹੀਨਾ ਹੋਵੇਗੀ। ਅਰਜ਼ੀਆਂ ਸਕੱਤਰ, ਪੰਜਾਬੀ ਸਾਹਿਤ ਅਕਾਦਮੀ, ਲੁਧਿਆਣਾ ਦੇ ਨਾਂ ਭੇਜੀਆਂ ਜਾਣ। ਅਰਜ਼ੀਆਂ ਦੀ ਆਖ਼ਰੀ ਮਿਤੀ ੩੦ ਅਪ੍ਰੈਲ ੧੯੭੮ ਹੈ।

ਹਸਤਾਖਰ — ਪ੍ਰਧਾਨ, ਪੰਜਾਬੀ ਸਾਹਿਤ ਅਕਾਦਮੀ, ਲੁਧਿਆਣਾ

MUZARAYI.

(General Serial No. 30.)

1893.

*From* [illegible]

*To*
The Dy Comr.
Bangalore Dt

*Dated* 27th

*Despatched* 30th May

*Received*

Enclosures No. 1

*General No.* 859 R
*Muzarayi. F. No.*

In forwarding herewith a petn no 2698 dy 17th April from Sowdagara Kasim Beg, Merchant in Closepet has the honor to enquire why the purchase money ~~of the temple lands taken up by the petr~~ agreed to therein has not been refunded to him.

2- The Dy Comr is requested to report

Whether the managers
of the temple are
willing to take back
the lands after
paying the Compen-
sation due to the
Pet^rs. for improvements
effected by him.
I am carefully requested
by my Order

Yours

(General Serial No. 30.)

OFFICE OF THE DEWAN OF MYSORE. MUZRI BRANCH

60

1893-94

From The Dy Commissioner
Bangalore District

To

The ~~Chief~~ Secretary to the Dewan
of Mysore.

Muzrai Department.

Dated 26th July 1893.

Despatched 27th Do

Received 27-7-93

Enclosures No. 1 file WP

General No.
9 No. 104

His No. 859 dated 30th May last, regarding the Refund of purchase mone due to Sowdagara Kassim Baig of Closepet.

In returning herewith the petition received with the above, has the honor to state that the price has not been refunded to the Petitioner as he is unwilling to take it.

2. The members of the

To the Tamers 94 of 31-7-93

M. C. C. P. Bangalore—27-1-93.—5,000.

Temple decline to pay the amount of compensation and take back the land. They are of opinion that it would be advantageous to the Temple, if the former sale is confirmed, Con- sidering the inconveniences attendant upon keeping lands waste and paying Banjar Kandayem -

3. The original will and the vernacular records connected with the case are, herewith, submitted for orders.

In Kumar Rao

For Dy Commissioner.

Mms

1894

Madras.

To

The Commissioner

Bangalore

Dated 31st July 94

Despatched 1st Aug.

Gl. No. 94 Encls ——

Mad. 10—94

His No. D 109 Dated 2

July 1893 regarding the com-

pensation claimed by

Sowdagar Kasim Beg in

matter of a certain Kattaya

belonging to the Sri Ranganadevaru Temple

in Closepet

Adverting to the abo

has the honor to state

the petitioner Kasim Beg

was informed that

Can ~~might~~ retain possession of
the land in question until he
has paid back the purchase-money
together with the amount of
compensation awarded to
him by the Sub Div. Officer.

By order

Draft.

Secretary

Gen. 31]

OFFICE OF THE DEWAN OF MYSORE
MUZRAI BRANCH
142
1896

From The Dy Commissioner
Bangalore District.

To The Secretary to the Govt.
of Mysore
Muzrai Department.

Dated 10th
Despatched 11th } August 1896.
Received 12/8

General No.
D No. 142

Enclosure No. 1 file

In reply to Muz: Secy's No.
94 dated 31st July 1894
10-94

Requesting instructions as
to the adjustment of the claim
of Khasim Beg on certain lan
granted to Sri Ramdeva
pple at Closepet.

D
18-8-96

To the Same No 86 & 829. 1.97

Dy Commissioners Office,
Bangalore District.
Dated 10th August 1896.

D. No. 142.
Encl: 1 file

To

The Secretary to the Government
of Mysore
Muzrai Department.

Sir,

Adverting to correspondence ending with your docket No. 94 dated 10-94 1st July 1894, relating to the land bequeathed to Sri Ramdevar temple at Closepet, I have the honor to state that on the representation of Khasim Beg, the record has been examined and accompanies this communication.

2. Khasim Beg having been deprived of the land, now refuses to take it back, and demands the payment of the purchase money, plus the cost of improvements as certified by the Panchayat at the time.

3. I have seen the land which is close to the Closepet Travellers Bungalow. The Matta is in ruins now.

4. If it may be permitted to me to express my opinion at this stage

of the case, I think it was a pity that the sale was not confirmed. The Dhanna Parsis do not want the land for the temple, and the individual at whose instance the sale was upset has renounced all claim to the same.

I have now the honor to request instructions as to the adjustment of the claim of Khasim Beg, whose petition is included in the file.

I have the honor to be,
Sir
Your most Obedient Servant.

M Narasumhayya
Dy Commissioner.

1897

From

The Secretary to the
Government of Mysore.

To

The Dy Comr
Bangalore Dt.

Dated 29-1-97
Despatched 30
Received
General No. 853 R
Muzrai F. No. 10-94
Enclosure No. 24 file

His No. 142 of 10th august 96,
regarding the compensation
claimed by one Sowdagar
Kasim Beg in respect of cer-
tain Kandayam Lands belong-
ing to the Sri Ranadevaru
temple in closepet.

---

Has the honor to forwa
herewith for reference an
obliging return an Office
Note of the case prepared
in this office and to requi
to be furnished with a
detailed report on the follow
points: —

(1) In whose possession the
land

From the Same no 74 of 13 7 97

land in question now is & who has been keeping the Kandayans on it during the past 4 years?

2) Is the allegation of Kasim Beg that he was forcibly ejected from the land in 1890 true? If so, why was he deprived possession of the land without being paid the compensation claimed.?

2. The Dy Comr is requested to institute a close inquiry on the above points and report the result as early as possible.

3. The Enclosures to the Yf. under reply together with the latest petition received from Kasim Beg ~~on the subject~~ are herewith sent for reply ~~and return~~.

Ref No 1376 of 25th Feb 96

in this forwarded

By order,

Asst. Secretary

Ans

189 37

From

The Deputy Commissioner
Bangalore District.

To

The Secretary
to the Government of Mysore
Muzrai Department
Bangalore.

Dated 13th July 1897.

Despatched 15th Do

Received

General No.

D No. 74

Enclosure No. 1 file

Unsatisfactory
reply
to
Order to Deputy Commr
to
call for explanation
another
Explanation
received
Proceedings
dated
30/8/97

167/97

This docket No. 855/10-94 dated 30th January last requesting a report regarding the compensation claimed by one Sowdagar Kasim Beig in respect of certain Kandayam lands belonging to the Sri Ramadevaru Temple in Closepet.

---

In reply, has the honor to state that the land in question which was made over to the temple of Sri Ramadevaru at Closepet by one Lutchmakka in the year 1867, is in the

To The same no 102 dt 1/1/97

possession of the temple authorities and the patta is in the name of Sri Ramadevaru.

2. The relations of the donor were paying the Kandayam on the said land from 1889-90 to 1894-95. In the year 1895-96, the Kandayam was paid from the Temple funds.

3. Kasim Beig was served with a notice to receive back the sale amount and to quit possession of the land as the then Deputy Commissioner did not uphold the sale proceedings. This offer Kasim Beig failed to avail himself of as he claimed compensation for the improvements effected by him subsequent to the purchase of the land.

4. The vernacular records bearing on the case are herewith submitted with a Fariat.

B. Ramachandra Rao

Deputy Commissioner

MUZRAI.

1897.

From

The Secretary to the
Government of Mysore.

To

The Dy Commr.
Bangalore Dt.

Dated 17 July

Despatched

Received

General No. 102

Muzrai F. No. 10-94

Enclosure No. 1 file.

His docket No. D 74 of 13th July 1897 regarding the compensation claimed by Sowdagar Kasim Beg in respect of certain Kandayam lands belonging to the Sri Rama Devaru temple at Closepet.

---

Has the honor to state that the Deputy Commissioner's

From the same no 214 dt 10/8/97

cited above does not-
contain ~~the~~ full & clear
infn on all points
noted in this Office
Docket-no. 855 dated 29th Jan'y 1897 last-
must-10-94 and
the Office Note forwarded
therewith. The Deputy
Comm'r is therefore requested
to submit as early as
possible, a detailed report
in answer to each ~~the~~ queries
contained in this Office
Docket ref'd to above.
2. The enclos: are
ret'd herewith for refce
& resubm'n.

B O

GA

Mus. Secy

From the Surveyor Gen'l No 102 214 d/13/8/97

1897-98 116

From The Dy Commissioner
Bangalore District

To The Secretary to the Govt
of Mysore
Muzrai Department
Bangalore.

Dated 10th
Despatched 14th } August 1897

Received

General No.
No. 214

Enclosure No. 1 file

In reply to Muz. Secy's
No. 102 of the 17th July 1897
Muz 7 10-94

Submits further information regarding Kasim Begs' claim for compensation in respect of a land belonging to the Sri Rama Devaru temple at Closepet.

By Commissioners

Bangalore, 10th
14th

The Secretary to the
Government of Mysore
Mazrai Depart
Bangalore.

Sir,

In reply to your No. 102 / 10-94 dated the 17th July 1897, regarding Kasim Beg's claim for compensation in respect of a land belonging to Sri Ramadevaru temple at Closepet, which was purchased by him at a public sale, I have the honor to state that the land is now in the possession of the temple authorities, but has all along been lying fallow on account of the claim preferred by the petitioner Khasim Beg.

2. In his reports Nos. 313 and 394 dated the 10 march 97 and the 6 may 97 respectively the Amildar states that Khasim Beg was

~~that~~ forcibly ejected from the land.

GOVERNMENT

The information furnished in this office
No 24 dated the 13 July 97 supplemented
with the information now furnished, answers
satisfactorily each of the queries proposed
in your docket No $\frac{853}{10-94}$ dated the 29 June

I have the honor to be,
Sir,
your most obedient Servant

Surveyor

Dy Commissioner

for the years Manmantha Devarukha appears is worked to have been paid from the temple funds. The Dy Commr is requested to enquire and report why the temple has been made to pay the Kandayam on this land which is not in his possession and enjoyment.

3. The enclos: are herewith returned for refce & re-submn.

By order

Muzrai Secy

GOVERNMENT

MUZRAI.

1897

From

The Secretary to the Government of Mysore.

To The Dy Commr. Bangalore Dt.

Dated 21st Augt.

Despatched

Received

General No. 270

Muzrai F. No. 10-94

Enclosure No. 1 File

His No. 214 dated 10th August 1897 regarding the Compensation claimed by Sowdager Khasim Beg in respect of a certain land belonging to the Sri Ramadevaru temple in Closepet.

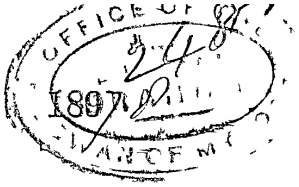
In para 2 of the letter cited above, the Dy Commr reports that Khasim Beg was forcibly

From the Samuke 468 dtd 9.10.97

al- in the Amildars
eports no: 313 dy 15th
arch 1897 and no. 399
dy 6th May 1897 alluded to-
~~[illegible]~~ in the ~~[illegible]~~
paragraph, it is distinctly
eported that Khasim
Beg was not forcibly
ejected from possession
of the land. This discrepan
between the Dy Comm's
eport & the Vern: Records
needs explanation.

2. The Temple Dharma-
Karta Varadachar, in
his report- no. 68. dy 5th
March 1897, states that
the land is not in the
possession of the Temple;
but yet, the Kandayan

Gen. 31]




From
The Dy Commissioner of the
Bangalore District

To
The Secretary to the
Govt of Mysore
Revenue Department

Bangalore
Dated 9
Despatched
Received } October 1897

General No.
No. 4

Enclosure No. one

Revising Accounts 27.
10-9

Re 21st Aug 1897

Limits upon
in connection with
the compensation claim
by Londuker Kasim
Beg in respect of certain
land belonging to
Srinivasdoss Pan
[illegible]

To the same no 760 of 22/12/97

A.C. 408
En

Commissioners Office
Camp Mysore, 9th October 1897

To,

The Secretary to the
Government of Mysore,
Mysore Department.

Sir,

In reply to your docket No 270/10-94 of the 21st August 1897, regarding the Compensation claimed by Sowdagar Kasim Beg in respect of a certain land belonging to Sriramdevaru Temple in Closepet I have the honor to state that in para 2 of this office letter No 214 of the 10th August 1897, the word "not" was through over sight omitted to be inserted before the words "forcibly ejected".

2. The Temple Dharmakarta (", Varadachar now reports that as the patta of the land is made out in the name of the idol and as the Revenue authorities have been to understand that the pattadar

the sooner was paid out of the temple funds with a view to avoid the issue of coercive processes.

3. The vernacular papers are all herewith, re-submitted.

I have the honor to be,
Sir,
Your most obedient servant;

Commissioner

Read:-

Petition no. 1376
dated 25th February 189
and No. 89 dated 7th Jne
1897 from Sowdagar
Khasim Beig of
Closepet stating tha
he has been forcibly
ejected from the
possession of a
certain land belonging
~~he had purchased fr~~
to the Sri Ramadevaru
temple at Closepet
& purchased by him at a public auction
and praying ~~for~~
for payment of
compensation in respec
of the land.

No. 760 of
Mug 3-10-94
22-12-97

And, The following
note of the Muzrai
Superintendent

December 1897 in
explanation of the facts
the case.

× × × × × ×

— u —

Order thereon.

The sale of the land
to Khasim Beig was
first cancelled by the
Deputy Commissioner,
but by a subsequent
order of the same authority,
the Petitioner had to be
paid compensation
in addition to refund
of purchase money
before being ousted
from the land. It was
found impossible to
carry out the latter
order; and the previous

order for cancellation of the sale must therefore be held to have been in abeyance and not enforcible.

2. It is reported that as a matter of fact Khasim Beig was never ousted from the possession of the land. His allegation of such ousting is without any foundation.

3. Under such circumstances, Khasim Beig may at his option either take refund of the purchase money and give up the land (in which case the sale will be held cancelled

e may keep the land
in which case the
and will be confirmed
him as purchaser).
? the latter case he
must pay the assessment on the land
from the current year.

Mun: Secy.

To.

The Dy Comm[r]
Bangalore Dist
Ret[d] Vers[p].

Com: Encl[d] [illegible]

READ :—

Petitions No. 1376, dated 25th February 1896 and No. 89, dated 7th July 1897, from Sowdagar Kasim Beg of Closepet, stating that he has been forcibly ejected from the possession of a certain land belonging to the Sri Ramadevaru temple at Closepet and purchased by him at public auction and praying for payment of compensation in respect of the land.

AND,

The following Note of the Muzrai Superintendent, dated 11th December 1897, in explanation of the facts of the case —

In the year 1867, one Lakshmakka made over a certain kandayam land of her own to the temple of Sri Ramadevaru at Closepet as an endowment for the performance of certain services in the institution

2. The patta of the land was made out in the name of the temple in 1885-86 For some two or three years afterwards, the land remained uncultivated, and the kandayam had to be paid from out of the temple funds The land thus becoming a burden on the resources of the temple the Dharmakartas of the institution found that its retention by the temple was of no advantage and consequently resolved that it would be better to sell it by auction and conduct the services stipulated by the donor from the interest accruing on the investment of the sale proceeds The Amildar also approved of this measure, and the land was accordingly put to auction on the 10th August 1888, and sold in two plots—one to a person named Siva Sing for Rs 45-2-0 and the other to the petitioner Kasim Beg for Rs 116 The Sub Division Officer Mr Naml ao, to whom the matter was reported, also confirmed the sale with the following remarks —

"The land belongs to the temple of Ramadevaru It is lying waste and the kandayam was being paid from temple funds The Dharmakartas think it necessary to sell the land for the benefit of the temple and take the sale proceeds to the credit of the temple funds The land has fetched proper amount in the sale It was therefore confirmed"

3. Some months after the sale on the 19th December 1889, one Sanjivaya a nephew of the donor Lakshmakka petitioned the Deputy Commissioner protesting against the disposal of the land as above, and the Deputy Commissioner (then Mr P N Krishnamurti) thereupon passed an Order No. 273, dated 16th December 1889, observing that the sale of the temple lands without sanction from the higher authorities was grossly irregular and quite unauthorised and that the lands should be resumed from the purchasers, the purchase money being refunded to them, and further directed the Amildar to report the result of the action taken in the matter

4 On receipt of the above order, the Amildar on 29th January 1890, called upon both Siva Sing and the petitioner Kasim Beg by means of notice to give up the plots, respectively purchased by them and take back the purchase money Siva Sing readily obeyed But Kasim Beg objected on the ground that he had expended a large sum of money in improving the plot purchased by him and that he could not therefore give it up unless paid also proper compensation for such improvement in addition to the refund of the purchase money A petition to this effect was submitted by him to the Deputy Commissioner (Mr V P Madhava Rao, who had in the meanwhile succeeded Mr Krishnamurti), and that Officer referred the question to the Sub-Division Officer of Closepet for disposal, with the remark that a fair compensation may be paid to the petitioner in consideration of any improvement of the land that might have been effected by him

5 The Sub Division Officer accordingly inspected the land and after examining the petitioner fixed the amount of compensation claimed at Rs 105-11-0 and directed the Amildar to pay this amount to Kasim Beg from the temple funds in addition to refunding the purchase money of Rs 116 and obtain a receipt from him as to the adjustment of the sum In reply, the Amildar reported that there was no saving at the credit of the temple wherefrom the compensation could be paid. On this, the Sub-Division Officer wrote to the Deputy Commissioner recommending the payment of the compensation amount to the petitioner from Muzrai Surplus Funds The Deputy Commissioner referred the question for the orders of Government recommending the payment of the compensation from out of the Muzrai Surplus Funds of the taluk as the institution itself had no savings of its own. But the Government in their Order No. 12090—P 213, dated 27th January 1892, declined to sanction the proposal with the remark that the Manager may be advised to pay the compensation if he is desirous of securing the land for the temple.

6 The Dharmakarta of the temple to whom the order was communicated through the Amildar, represented in a petition No. 102, dated 22nd September 1892, that the institution had no funds from which the compensation adjudged to the petitioner Kasim Beg might be paid, and that it would be more advantageous to the temple to confirm the sale to Kasim Beg. On this the Sub-Division Officer (Mr. G. Raghunatha Rao) issued an Order No. 11, dated 15th November 1892, to the Amildar observing that there was no proof of the petitioner having spent any large sum on the improvement of the land as alleged by him and directing the Amildar to call upon Kasim Beg to receive back the purchase money within a specified time informing him that in default the amount will be credited to the temple funds. Accordingly on the 10th February 1893, a notice was issued to Kasim Beg requiring him to receive back the purchase money before the 25th idem; but immediately on receipt of the notice on the 20th February 1893, Kasim Beg presented a petition to the Deputy Commissioner stating that in spite of the Order of Government No. 12090—P. 213, dated 27th January 1892, *referred to above*, the Managers of the temple had taken possession of the land under orders of the taluk authorities without paying him the compensation adjudged and that he had been served with a notice requiring him to receive back only the purchase money and praying therefore that the Managers may be ordered to pay him the compensation amount of Rs. 105-11-0; and on the 25th February he petitioned the Amildar praying that further action in the matter might be held in abeyance pending disposal of his petition to the Deputy Commissioner on the subject.

7. Before, however, his petition to the Deputy Commissioner was disposed of, Kasim Beg submitted a petition to the Government to the same effect. This petition was referred to the Deputy Commissioner for report if the Managers were willing to take back the land after paying the compensation adjudged to the petitioner. In reply the Deputy Commissioner in his letter No. 109, dated 27th July 1893, reported that the Managers declined to pay the compensation and take back the land and deemed it advantageous to the temple if the original sale might be confirmed considering the inconveniences attendant upon keeping lands waste and paying banjar kandayam. Thereupon the Deputy Commissioner was informed that Kasim Beg can retain possession of the land in question until he is paid back the purchase money together with the amount of compensation awarded to him by the Sub-Division Officer.

8. The petitioner Kasim Beg now represents that the land was taken away from his possession in January 1890 without any heed being paid to his representations about the payment of compensation and having lain waste since then, the land has now become unfit for cultivation and prays therefore for the payment of compensation amount above referred to together with the purchase money. With reference to this petition, the Deputy Commissioner Mr. V. N. Narasimmayengar in his letter No. 142, dated 10th August 1896, now reports as follows:—

"Kasim Beg having been deprived of the land, now refuses to take it back and demands the payment of the purchase money plus the cost of improvements as certified by the panchayats at the time.

"If it may be permitted to me to express an opinion at this stage of the case, I think it was a pity that the sale was not confirmed. The Dharmadarsi do not want the land for the temple and the individual at whose instance the sale was upset, has renounced all claim to the same.

"I have now the honor to request instructions as to the adjustment of the claim of Kasim Beg whose petition is included in the file."

The chief point to be ascertained in this case is when and under what circumstances, the petitioner Kasim Beg lost possession of the land without being paid the compensation adjudged to him by the Sub-Division Officer of Closepet. The petitioner states that soon after the issue of the Amildar's notice, dated 29th January 1890, he was summarily ejected from the land without any heed being paid to his claims for compensation. But the records submitted by the Deputy Commissioner do not bear out this allegation. On the other hand, when in the notice dated 29th January 1890, the Amildar communicated to the petitioner the Deputy Commissioner's order cancelling the sale of the land and called upon him to give up possession of the land, Kasim Beg in reply submitted a petition pleading inability to surrender the land until he was paid proper compensation for the improvements effected by him on the land.

And, beyond Kasim Beg's bare assertion in his recent petitions to the Deputy Commissioner and to the Government, there is nothing in the records to show that he was forced out of possession of the land by any coercive process. On the other hand, the allegation of Kasim Beg that he gave up the land so long ago as January 1890 is shown to be untrue by the Amildar's report, No. 547, dated 23rd February 1891, in which it is distinctly stated that Kasim Beg had not given up the land sold to him and further in a report of the temple Managers made on the 20th October 1894, Kasim Beg's statement that he gave up the land to them possession is flatly contradicted.

In these circumstances, Kasim Beg's statement that he was forcibly deprived possession of the land appears to be unfounded. It seems more likely that Kasim Beg himself quitely abandoned the land of his own accord, preferring the receipt of the compensation adjudged by the Sub-Division Officer as the more profitable bargain, but subsequently finding his expectations in this respect frustrated, set up a plea of having been forcibly ejected from the land just to give color and weight to his claims for payment of compensation.

On a further reference from this office in regard to the foregoing points, the Deputy Commissioner in his letter No. 468, dated 9th October 1897, reports that Kasim Beg was not forcibly ejected from the land as alleged by him, that the land is lying waste, but that however, the kandayam thereon is now being levied from the temple Manager, because the patta of the land still stands in the name of the temple.

---

No. 760—Muz. F. 10-94, dated Bangalore, 22nd December 1897.

Order thereon.—The sale of the land to Kasim Beg was first cancelled by the Deputy Commissioner; but by a subsequent order of the same authority, the petitioner had to be paid compensation in addition to refund of purchase money before being ousted from the land. It was found impossible to carry out the latter order; and the previous order for cancellation of the sale must therefore be held to have been in abeyance and not enforcible.

2. It is reported that as a matter of fact Kasim Beg was never ousted from the possession of the land. His allegation of such ousting is without any foundation.

3. Under such circumstances, Kasim Beg may at his option either take refund of the purchase money and give up the land (in which case the sale will be held cancelled) or he may keep the land (in which case the land will be confirmed to him as purchaser). In the latter case he must pay the assessment on the land from the current year.

*Muzrai Secretary.*

To—The Deputy Commissioner, Bangalore District, returning vernaculur papers.

Exd.—H.A.R.

1897-98

# GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

*Dated 22nd December* 1897

No. Muz

Passing orders in the matter of compensation claimed by Sowdagar Kasim Beg in respect of a certain land belonging to the Sri Ramadevaru temple at Closepet and purchased by him at public auction.

M.G.C.P.B.—27-1-98—125